

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101
Prepared by: Roberta Moore, Planner I

SUBJECT: Ordinance
Financial Analysis of Mailings on Quasi-Judicial Proceedings

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, AMENDING SECTION 12-306(F), ENTITLED "SUPPLEMENTARY NOTIFICATION REQUIRED FOR REZONINGS, VARIANCES AND SPECIAL PERMITS" PROVIDING FOR INTENT; PROVIDING FOR REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

Staff was requested to conduct a financial analysis that compares the feasibility of processing mailings for quasi-judicial applications from five hundred (500) feet to one thousand (1,000) feet.

The following report indicates that there will be an approximate increase in the cost of mailings for postings of 30.9%. Since the applicant is responsible for fees that are associated with mailings, there will not be a significant increase in the cost of the mailings extending to one thousand (1,000) feet for the Town of Davie. Staff time will increase proportionally to determine the mailing list and thus create the mailing labels.

PREVIOUS ACTIONS: None

CONCURRENCES: The Planning and Zoning Board, sitting as the Local Planning Agency, heard the item at the April 23, 2003 meeting.

FISCAL IMPACT: None

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Ordinance, Financial Analysis report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, AMENDING SECTION 12-306(F), ENTITLED "SUPPLEMENTARY NOTIFICATION REQUIRED FOR REZONINGS, VARIANCES AND SPECIAL PERMITS" PROVIDING FOR INTENT; PROVIDING FOR REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the Land Development Code to provide for an increase in the mailing radius for all quasi-judicial application items from five hundred (500) feet to one thousand (1,000) feet; and,

WHEREAS, the Town Council of the Town of Davie desires to ensure that any and all affected property owners receive a timely notice of quasi-judicial items; and,

WHEREAS, said Ordinance exceeds Florida State Statute Chapter 166 which requires all property owners within five hundred (500) feet of the exterior boundary of property be notified of such requests.

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on April 23, 2003; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statutes on May 7, 2003, and on date of adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That Section 12-306(F), Supplementary Notification Required for Rezonings, Variances and Special Permits, of the Town Code is amended to read as follows:

* * * *

Section 12-306. Processing.

* * * *

(F) Supplementary Notification Required for Rezoning, Variances and Special Permits:

(1) In addition to the requirements prescribed by F.S. Chapter 166 requiring publication of pending zoning applications, the town clerk is directed to notify by U.S. mail, postage paid, all persons owning property within ~~five hundred (500)~~ one thousand (1,000) feet of the exterior boundary of property for which a rezoning, variance, or special permit is pending. The mailing of such notices shall constitute service. All notices shall be sent to the owners as set forth on the latest Broward County tax rolls. For town-initiated rezonings involving a parcel or parcels of land of more than ten (10) contiguous acres in area where the mailing would exceed two thousand (2,000) notices, the mailing services requirement herein shall be deemed met if the clerk retains a bulk mailing service to perform the mailing, and delivers instructions to the service to send the notices. In the event the notification area extends beyond the town limits, notification of each property owner is not required: however, notification of the appropriate governing body shall be made.

* * * *

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2003

PASSED ON SECOND READING THIS ____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003

FINANCIAL ANALYSIS OF MAILINGS

500 feet versus 1,000 feet



500 feet mailing buffer



1,000 feet mailing buffer

BACKGROUND

Staff was requested to determine the economic feasibility of increasing the mailing radius for quasi-judicial applications from five hundred (500) feet to one thousand (1,000) feet.

ANALYSIS

Staff compared five (5) parcels to determine the costs for mailings within 500 feet and then within 1,000 feet. The five parcels that were selected are 3870 SW 61 Avenue, 5500 SW 64 Avenue, 2201 SW 115 Terrace, 2640 SW 154 Lane, and 15700 Pointe West Drive. These parcels were randomly chosen.

The data utilized for this analysis is from the Town of Davie's website "Map Us".

CONCLUSION

Although there is an increase in both the mailings and the postage it varied throughout the town. The ranges in these increases varied from 6.9% to 43.3%, the average of this increase is 30.9%.

3870 SW 61 Avenue

If the resident were to submit an application to the Town for a quasi-judicial hearing, the following would apply.

Within 500 feet, there would be 88 mailings.

$$88 \text{ (number of parcels within 500 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 32.56$$

If the mailings would encompass a 1,000 foot radius, there would be 259 mailings.

$$259 \text{ (number of parcels within 1,000 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 95.83$$

The difference would be \$ 63.27.

This reflects a 33.9% increase in total mailings and postage.

5500 SW 64 Avenue

If the resident were to submit an application to the Town for a quasi-judicial hearing, the following would apply.

Within 500 feet, there would be 49 mailings.

$$49 \text{ (number of parcels within 500 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 18.13$$

If the mailings would encompass a 1,000 foot radius, there would be 133 mailings.

$$133 \text{ (number of parcels within 1,000 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 49.21.$$

The difference would be \$ 31.08.

This reflects a 36.8% increase in total mailings and postage.

2201 SW 115 Terrace

If the resident were to submit an application to the Town for a quasi-judicial hearing, the following would apply.

Within 500 feet, there would be 42 mailings.

$$42 \text{ (number of parcels within 500 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 15.54.$$

If the mailings would encompass a 1,000 foot radius, there would be 125 mailings.

$$125 \text{ (number of parcels within 1,000 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 46.25.$$

The difference would be \$ 30.71.

This reflects a 33.6% increase in total mailings and postage.

2640 SW 154 Lane

If the resident were to submit an application to the Town for a quasi-judicial hearing, the following would apply.

Within 500 feet, there would be 39 mailings.

$$39 \text{ (number of parcels within 500 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 14.43.$$

If the mailings would encompass a 1,000 foot radius, there would be 90 mailings.

$$90 \text{ (number of parcels within 1,000 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 33.30.$$

The difference would be \$ 18.87.

This reflects a 43.3% increase in total mailings and postage.

15700 Pointe West Drive

If the business were to submit an application to the Town for a quasi-judicial hearing, the following would apply.

Within 500 feet, there would be 23 mailings.

$$23 \text{ (number of parcels within 500 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 8.51.$$

If the mailings would encompass a 1,000 foot radius, there would be 33 mailings.

$$33 \text{ (number of parcels within 1,000 feet)} \times \$.37 \text{ (amount of postage per mailing)} = \$ 12.21.$$

The difference would be \$ 3.70.

This reflects a 6.9% increase in total mailings and postage.

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